

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

**CECIL FOUNTAIN, JR.,
Plaintiff,**

**:
:**

v.

: Civil Action No. 5:13-cv-00245-CAR

**WOLF CREEK LANDFILL, LLC,
a Limited Liability Company,
Defendant.**

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:
:**

PLAINTIFF’S RESPONSE TO SHOW CAUSE ORDER

COMES NOW CECIL FOUNTAIN, JR., Plaintiff in the above-captioned matter, and files his Response To Show Cause Order and shows as further set forth below.

1.

In its Order On Motion To Dismiss, the Court directed Defendant to show cause “why this case should not be remanded to the Superior Court of Twiggs County,” given the dismissal of Plaintiff’s claims for emotional distress and punitive damages. Said Order further provided Plaintiff the opportunity to file a response thereafter.

2.

As the Order On Motion To Dismiss grants Defendant’s Motion To

Dismiss, Plaintiff cannot presently claim damages above the jurisdictional threshold required to allow this Court to retain subject matter jurisdiction over this action. Furthermore, Plaintiff shows that he will not be able to claim damages above said jurisdictional threshold in the future.

3.

Accordingly, Plaintiff believes that the above-captioned matter should be remanded to the Superior Court of Twiggs County.

Respectfully submitted, this 13th day of February, 2014.

s/ R. Lars Anderson
Georgia State Bar No. 018218
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Font Certification

I, R. Lars Anderson, attorney for Plaintiff, hereby certify that the foregoing document has been prepared in Times New Roman, 14 point font.

Respectfully submitted,

s/ R. Lars Anderson
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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Steven G. Hall, Esq.
Emily C.R. Early, Esq.
3414 Peachtree Road, NE
Suite 1600, Monarch Plaza
Atlanta, Georgia 30326

Respectfully submitted,

s/ R. Lars Anderson
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